

A SUBSTITUTE ORDINANCE

05-O-1711

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

AN ORDINANCE AMENDING THE 2005 (INTERGOVERNMENTAL GRANT FUND) BUDGET, DEPARTMENT OF POLICE, BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF \$8,000 FROM THE UNITED STATES SECRET SERVICE RESULTING FROM AN AGREEMENT TO REIMBURSE THE ATLANTA POLICE DEPARTMENT FOR EXPENSES STEMMING FROM PARTICIPATION IN THE ATLANTA ELECTRONIC CRIMES TASK FORCE, AND FOR OTHER PURPOSES

WHEREAS, an effective law enforcement response to electronic crimes is critical to protecting the public from predators who use electronic media to perpetrate crimes such as distribution of child pornography, solicitation of minors for illegal sex acts, prostitution, fraud and identity theft, and

WHEREAS, to effectively combat such electronic crimes, a cooperative, multi-jurisdictional law enforcement response is required, and

WHEREAS, the Atlanta Police Department is participating in one such multi-jurisdictional initiative to respond to electronic crime, and

WHEREAS, the United States Secret Service, the lead federal agency for this task force, is prepared to reimburse the Atlanta Police Department for the cost of supplies and equipment purchased in conjunction with this program, and

WHEREAS, the Budget Commission of the City of Atlanta has recommended increasing anticipations and appropriations in the Intergovernmental Grant Fund budget by \$8,000 as a result of the offer of financial support by the Secret Service

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA

Section one: that the (Intergovernmental Grant Fund) Budget, Department of Police, be amended as follows:

ADD TO ANTICIPATIONS

1B02	J53X0210B5L0	Electronic Crime Task Force	
	631101	Federal Grants/Entitlements	\$8,000

ADD TO APPROPRIATIONS

1B02 X11T0763B5L0	Electronic Crime Task Force	
72****	Operating Expenses	\$2,000
77****	Capital Expenses	<u>6,000</u>
		\$8,000

Section two: that all ORDINANCES or parts of ORINANCES in conflict with the terms and conditions contained herein be and are hereby **WAIVED**

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Section two: that all ORDINANCES or parts of ORINANCES in conflict with the terms and conditions contained herein be and ar hereby REPEEALED.



U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE

Atlanta Field Office
401 W. Peachtree St.
Suite 2900
Atlanta, Ga. 30308

MEMORANDUM OF UNDERSTANDING

This document sets forth the general understanding between local, state and federal agencies with respect to a joint cooperative law enforcement effort to investigate and prosecute crimes associated with computers and other electronic devices. The organization will be a cooperative effort by each of the member agencies to provide resources and information to support to overall goals of the group. The organization will be known as the Atlanta Electronic Crimes Task Force. This document is not intended to be a formal contract between and among the parties, but rather an expression of understanding to facilitate cooperation among the various participants in the Task Force.

I. Purpose/Mission

The Atlanta Electronic Crimes Task Force (AECTF) is being developed to target those individuals who perpetrate crimes in which computers and other electronic devices are utilized. The main focus of the AECTF will combat criminal activity associated with mediums such as the Internet, computers and computer networks, credit card fraud (to include skimming), hacking/denial of service, and identity theft fraud (identity theft/fraudulent identification documents) and child exploitation investigations. The Task Force will also provide forensic examinations of seized computers for local, state, or federal agencies.

II. Objectives

- A. To provide a coordinated law enforcement response in the metropolitan Atlanta and the Northern District of Georgia involving the investigation of offenses involving electronic devices.
- B. To provide a coordinated law enforcement response in the Metropolitan Atlanta area for the investigation of offenses involving, but not limited to:
 - Major financial crimes involving the fraudulent use of credit cards.
 - Identify theft/identity fraud.
 - Child exploitation/child pornography.
 - Computer intrusions/denial of service.
 - Internet fraud.
 - Intellectual property theft.
 - Counterfeit commercial obligations produced by computers.

*Revised Asst to SAC
(4) 537 6111*

- C. To identify in the Metropolitan Atlanta area organized rings that commit credit card fraud and produce and distribute counterfeit identification documents.
- D. To substantially reduce offenses involving identify fraud, counterfeit identification documents, and other computer-related crimes.
- E. To educate the public and commercial sector as to how to identify and successfully prosecute individuals involved with computer crimes.

III. Participants

The Atlanta ECTF is open for all local, state and federal law enforcement agencies. For the Atlanta ECTF to be effective, each member agency should assign personnel who currently investigate offenses similar to those described above and be active members of the Task Force. In order to share information and resources while reducing duplication of effort, members will need to be available on a regular basis to share information and provide/request assistance as needed.

The Atlanta ECTF will also incorporate members from the private/corporate world and faculty from local educational institutions. These members, in cooperation with law enforcement, will provide institutional knowledge on the operations of computers and networks and will provide valuable input concerning corporate computer systems.

IV. Duration

The Atlanta Electronic Crimes Task Force will begin formal operations on September 1, 2003. Its mission, objectives, and need for continued operation will be evaluated every six months thereafter. Any participant may withdraw at any time, but the parties to this Memorandum acknowledge an expectation that any notice of an intent to withdraw will be provided in writing to the other participants at least thirty days in advance of the participant's withdrawal.

V. Personnel Commitment

Each participating agency agrees to provide experienced law enforcement personnel to the Task Force for participation in the Task Force's investigations. Each participating agency will certify that the personnel assigned to the Task Force are not the subject of any pending disciplinary action that would in any way compromise the objectives of the Task Force. Additional and removals of personnel to and from the Task Force will be at the discretion of the participating agencies.

VI. Operation

The Atlanta Electronic Crimes Task Force will be located at the Atlanta Field Office of the U. S. Secret Service, 401 W. Peachtree St., Suite 2900, Atlanta, Ga. 30308.

The following principles will govern the relationships among the participants regarding policy, planning, training, supervision, and public relations. All participants agree that the following principles will govern the resolution of any disputes that might arise in the administration of the Task Force.

A. Administration

All participants acknowledge that this is a cooperative endeavor on the part of all parties to achieve the goals and objectives of the Task Force, therefore, decisions regarding the administration of the Task Force with respect to its policies and direction should be the joint responsibility of the supervisors of the participants with the consultation of the supervisors of member agencies.

B. Jurisdiction

The members of the task force, in association with attorneys from the U. S. Attorney's Office, Northern District of Georgia and District Attorneys from member jurisdictions, will determine whether to prosecute a case in federal or state court. The decision as to where to bring a prosecution will be based in part on the guidelines of the prosecutors for the members' jurisdiction and how the overall objectives of the Task Force may be met.

C. Supervision

Day to day supervision of the personnel assigned to the Task Force will be the U. S. Secret Service supervisor assigned to the Atlanta ECTF. This supervisor will have a group leader to assist him and to supervise members in the Field Office supervisor's absence. Each member agency's supervisors will maintain primary responsibility for their employees.

In the event of a conflict between or among the participating agencies with respect to supervisory authority, no action will be taken by the involved personnel until the conflict is resolved at the agency head level. Members' primary responsibility is to their agency, with the secondary goal of furthering the overall mission of the Task Force.

D. Financial Support

At the present time, no expenses in excess of office rent, investigative equipment and furnishing the offices to be utilized by members will be

incurred by the U. S. Secret Service. Parking will be provided at the Summit Federal Building

E. Salary and Benefits of Participating Members

During the period of this agreement, the participating agencies will be responsible for establishing and paying the salary and benefits, including overtime, of their personnel assigned to the Task Force.

F. Forfeiture

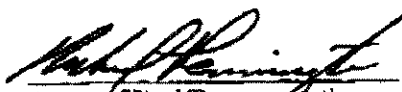
Administrative forfeiture actions will be processed by the agency represented by the lead investigator in the investigation. In cases where state law does not allow for forfeiture, a member of the Task Force who is employed by a federal agency will assist in administrative forfeiture, when appropriate. Judicial forfeitures will be handled by the U. S. Attorney's Office, Northern District of Georgia. All forfeitures will be shared by the participating law enforcement agencies in proportion to the level of participation of the agencies in the Task Force.

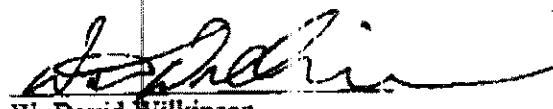
G. Media Policy

All contact with the media will conform to the media policy of the U. S. Secret Service in which all media inquiries will be forwarded to the Atlanta Field Office media relations representative. Member agencies will coordinate dissemination of pertinent information to the media with the field supervisory officer assigned to the Atlanta ECTF.

H. Authorization

This Memorandum of Understanding and the attachments are hereby accepted as setting forth the general intentions and understanding of the participants as evidenced by the signatures affixed below.


Agency Head/Representative
Name: RICHARD PENNINGTON
Agency: ATLANTA POLICE
DEPARTMENT


W. David Wilkinson
Special Agent in Charge
Atlanta Field Office

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon

(for review and distribution to Executive Management)

Chief of Police Signature: [Signature]

Deputy Chief Signature: [Signature]

Assistant Chief Signature: [Signature]

From: Originating Dept.: POLICE

Contact (Name): Dan Boozer 817-6782

Committee(s) of Purview: PUBLIC SAFETY/LEGAL

Committee Deadline: August 29, 2005

Committee Meeting
Dates: September 13-14, 2005

City Council Meeting
Date: September 19, 2005

CAPTION:

AN ORDINANCE AMENDING THE 2005 (INTERGOVERNMENTAL GRANT FUND) BUDGET, DEPARTMENT OF POLICE BY ADDING TO ANTICIPATIONS IN THE AMOUNT OF \$8,000 FROM THE UNITED STATES SECRET SERVICE RESULTING FROM AN AGREEMENT TO REIMBURSE THE ATLANTA POLICE DEPARTMENT FOR EXPENSES STEMMING FROM PARTICIPATION IN THE ATLANTA ELECTRONIC CRIMES TASK FORCE, AND FOR OTHER PURPOSES

BACKGROUND/PURPOSE/DISCUSSION:

THE ATLANTA POLICE DEPARTMENT HAS AN OFFER FROM THE UNITED STATES SECRET SERVICE TO REIMBURSE THE CITY FOR EQUIPMENT AND SUPPLIES PURCHASED IN CONJUNCTION WITH POLICE PARTICIPATION IN THE ATLANTA ELECTRONIC CRIMES TASK FORCE, A MULTI-JURISDICTIONAL COLLABORATION OF LAW ENFORCEMENT AGENCIES FORMED TO COMBAT ELECTRONIC CRIMES, WHICH MAY INCLUDE IDENTITY THEFT, CHILD EXPLOITATION AND PORNOGRAPHY AS WELL AS CREDIT CARD FRAUD.

FINANCIAL IMPACT (if any):

NONE.

PERSONNEL IMPACT:

NONE.

Mayor's Staff Only

Received by Mayor's Office, (Date): 8.30.05 [Signature]

Reviewed (Initials): [Signature]

Date: _____

Action by Committee:

 APPROVED **ADVERSED** **HELD** **AMENDED**
 SUBSTITUTE **REFERRED** **OTHER**